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TERMINA DISCLEMENTO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) 02**9/4**4-975

In re Application of: Lisa PALMQVIST et al.

Application No.: 09/973,809 Filed: October 11, 2001

For: CEMENTED CARBIDE INSERT

ALCEIVED TO 18 2013

The owner*, Sandvik AB of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6.326.093. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. X The undersigned is an attorney of record.

August 25, 2003
Date

Signature

Scott W. Cummings, Reg. No. 41,567

Typed or printed name

X Terminal disclaimer fee under 37 CFR 1.20(d) is included.

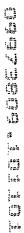
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See M.P.E.P. § 324.

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COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Attorney's Docket No.

| FOR UTILITY PATENT APPLICA | ATION | 024444-729 | | | | | |
|--|---|-----------------|--|--|--|--|--|
| As a below-named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name; I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED: | | | | | | | |
| CEMENTED CARBIDE INSERT | | | | | | | |
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| the specification of which | | ! | | | | | |
| (check one) | is attached hereto; was filed on <u>Februa</u> | ary 2, 2000 as | | | | | |
| | Application No. 09/496, | 200 | | | | | |
| | and was amended on | (if applicable) | | | | | |
| I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE; | | | | | | | |
| I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992); | | | | | | | |
| I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application; | | | | | | | |
| I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed: | | | | | | | |





Attorney's Docket No.

024444-729

| I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all busines and Trademark Office connected therewith and to file, prosecute and to transact all business in connection wapplications directed to said invention: William L. Mathic T. 237 R. Dancy Humington 27,903 Gerald F. Swies Robert S. Sweeker 19,885 Eric H. Weisblut 30,305 Michael J. Ure Plann N. Mosek 12,242 Janes W. Peterson 26,057 Charles F. Wielard III Broom N. Mosek 12,243 Janes W. Peterson 26,057 Charles F. Wielard III Broom N. Mosek 12,243 Janes W. Peterson 26,057 Charles F. Wielard III Broom J. Mosek 12,243 Janes W. Peterson 26,057 Charles F. Wielard III Broom J. Mosek 12,243 Janes M. Mosek 12,243 Janes M. William L. Goviand J. Steppe 22,716 Robert E. Krebs 22,885 Todd R. Willeam J. Peterson 26,057 Charles F. Wielard III Broom J. Janes J. Janes 22,243 Janes J. Broom J. Janes J. Ja | COUNTRY/INTERNATIONA | | | DATE OF FILIN | | PRIORITY CLAIMED | |
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| I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business and Trademark Office connected therewith and to file, prosecute and to transact all business in connection wapplications directed to said invention: William L. Manhis 17,337 R. Danoy Huntington 27,903 Gerald F. Swiss Robert S. Swecker 19,885 Eric H. Weisblar 30,505 Michael J. Ure Platon N. Mandros 22,124 James W. Peterson 26,057 Charles F. Wieland III Benton S. Duffen, Jr. 22,030 Teress Stanek Rea 30,447 Bruce T. Wieder Norman H. Stepno 22,716 Robert E. Krebs 25,885 Churles F. Wieland III Benton S. Duffen, Jr. 20,030 Teress Stanek Rea 30,447 Bruce T. Wieder Norman H. Stepno 22,716 Robert E. Krebs 25,885 Roma S. Jillions Prederick G. Michaud, Jr. 26,003 T. Gene Dillahunty 25,423 Harold R. Brown III Alan E. Kopetis 25,813 Patrick C. Keane 32,858 Allen R. Baum Samuel C. Miller, III 27,360 William H. Benz 25,592 Brian P. Shapphressy Robert G. Mukai 28,531 Peter K. Staff 31,917 Kenneth B. Leffler George A. Hovanec, Jr. 28,223 Richard J. McGrath 29,195 Fred W. Haahaway Illiams A. LaBarre 28,632 Mathew L. Schneider 32,314 El Bert 28,510 Michael G. Savage 32,396 William H. Benz 25,595 Brian P. Charles F. W. Haahaway B. Burns, Doane, Swecker & MATHIS, L. L. P. P. O. Box 1404 Alexandria, Virginia 22313-1404 Alexandria, Virginia 22313-1404 Alexandria, Virginia 22313-1404 Alexandria, Virginia 22313-1404 Thereby declare that all statements made herein of my own knowledge are true and that all statements made and belief are believed to be true; and further that these statements were made with the knowledge that will ments and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 States Code and that such willful false statements may jeopardize the validity of the application or any paten FULL NAME OF SECOND JOINT INVENTOR. If ANY SIGNATURE J. | SWEDEN | SE 9900 | 403-8 | 5 February 199 | 99 YES <u>X</u> | YES_X_NO_ | |
| and Trademark Office connected therewith and to file, prosecute and to transact all business in connection wapplications directed to said invention: William L. Mahis 17,337 R. Dancy Huntingson 27,903 Gerald F. Swiss Robert S. Swecker 19,885 Eric H. Weisblatt 30,505 Michael J. Ure Platon N. Mandros 22,124 James W. Peterson 26,057 Charles F. Wieland III Benton S. Duffen, Jr. 22,030 Teress Stanek Rea 30,447 Bruce T. Weight Norman H. Stepno 22,716 Robert E. Krebs 25,885 Todd R. Walters Roadd L. Grudziecki 24,970 William C. Rowland 30,888 Romai S. Jillicos Frederick G. Michaud, Jr. 26,003 T. Gene Dillabunty 25,423 Harold R. Brown III Alta E. Kopeki 25,813 Patrick C. Keane 32,853 Allen R. Baum Alta E. Kopeki 25,813 Patrick C. Keane 32,853 Allen R. Baum Samuel C. Milder, III 27,360 William H. Beaz 25,952 Brian P. Shangdher G. Mukai 28,531 Peter K. Skiff 31,917 Kenneth B. Leftler George A. Hovanec, Jr. 28,232 Mathew L. Schneider 32,814 James A. Labbare 28,532 Mathew L. Schneider 32,814 James A. Labbare 28,531 Peter K. Skiff Burns, Doanke, Swecker & MATHIS, L. L. P. P. O. Box 1404 Alexandria, Virginia 22313-1404 Alexandria, Virginia 22313-1404 Alexandria, Virginia 22313-1404 Alexandria, Virginia 25313-1404 Alexandria, Virginia 25313-1404 Alexandria, Virginia 26313-1404 Alexandria, Virginia 26313-14 | | | | | YES_ N | 10_ | |
| Address all correspondence to: Ronald L. Grudziecki BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 Address all telephone calls to: Ronald L. Grudziecki BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 Address all telephone calls to: Ronald L. Grudziecki at (7 I hereby declare that all statements made herein of my own knowledge are true and that all statements made and belief are believed to be true; and further that these statements were made with the knowledge that willfunents and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 States Code and that such willful false statements may jeopardize the validity of the application or any paten FULL NAME OF SOLE OR FIRST INVENTOR Lisa PALMQVIST RESIDENCE Goleborg, SWEDEN FULL NAME OF SECOND JOINT INVENTOR, IF ANY SIGNATURE CITIZENSHIP DATE Mikael LINDHOLM RESIDENCE CITIZENSHIP CITIZENSHIP | Trademark Office connected to ications directed to said invent villiam L. Mathis 17,3 obert S. Swecker 19,8 laton N. Mandros 22,1 enton S. Duffert, Jr. 22,0 forman H. Stepno 22,7 ornald L. Grudziecki 24,9 rederick G. Michaud, Jr. 26,0 lan E. Kopecki 25,8 egis E. Shutter 26,9 amuel C. Miller, III 27,3 obert G. Mukai 28,5 eorge A. Hovanec, Jr. 28,2 ames A. LaBarre 28,6 | herewith and to file, prosition: R. Danny Hunting Eric H. Weisblatt James W. Peterso Go Teresa Stanek Re Robert E. Krebs William C. Rowle T. Gene Dillahum T. Gene Dillahum Spatrick C. Keane Bruce J. Boggs, J William H. Benz Peter K. Skiff Richard J. McGra Rathew L. Schne | gton 27, 30, 30, 26, a 30, 25, and 30, ty 25, 32, r. 32, 25, 31, th 29, eider 32, | 903 Gerald F. 505 Michael J. 505 Charles F. 427 Bruce T. V. 888 Ronni S. J. 423 Harold R. 858 Allen R. E. 344 Steven M. 952 Brian P. C. 957 Kenneth B. 195 Fred W. E. | Connection with inter Swiss . Ure | | |
| BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 at (7) Thereby declare that all statements made herein of my own knowledge are true and that all statements made and belief are believed to be true; and further that these statements were made with the knowledge that willfunct in the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 Rates Code and that such willful false statements may jeopardize the validity of the application or any paten with the knowledge that willfuncts and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 Rates Code and that such willful false statements may jeopardize the validity of the application or any paten with the knowledge that willfuncts and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 Rates Code and that such willful false statements may jeopardize the validity of the application or any paten with the knowledge are true and that all statements made had been and the like statements made herein of my own knowledge are true and that all statements made had been and the like statements made herein of my own knowledge are true and that all statements made had been and the like statements made had been and the like statements made herein of my own knowledge are true and that all statements made had been and the like statements made had been and | Scott W. Cummings, Regist | ration No. 41,567 | | | 21839 | | |
| hereby declare that all statements made herein of my own knowledge are true and that all statements made and belief are believed to be true; and further that these statements were made with the knowledge that willfuncts and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 states Code and that such willful false statements may jeopardize the validity of the application or any patent ull name of sole or first inventor Signature Wall Palmanut Bate Citizenship Swedish Octobers, Sweden Ull name of Second Joint inventor, if any Signature Signature Citizenship Signature Alacket Lindholm Citizenship Citizenship | | Burns, I P.O. Bo | DOANE, SWECKE 1404 | | | | |
| hereby declare that all statements made herein of my own knowledge are true and that all statements made not belief are believed to be true; and further that these statements were made with the knowledge that williful nents and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 states Code and that such willful false statements may jeopardize the validity of the application or any patent ull name of sole or first inventor Signature Signature Citizenship Swedish Octoberg, Sweden Ull Name of Second Joint Inventor, 14 62, Göteborg, Sweden Ull Name of Second Joint Inventor, 15 any Signature Citizenship Citizenship Citizenship | | Ronald L. Grudziecki | | | at (703) 836- | 6620. | |
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COMBINED DECLARATION AND POWER OF ATTORNEY

Attorney's Docket No.

024444-729

| | SIGNATURE | | DATE |
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| Sofiebergsv. 33 A, 135 53 Tyresö, SWEDEN | | | D. 100 |
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| Björn LJUNGBERG | | CITIZENSHIP | |
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| Enskede, SWEDEN | | SWEDISH | |
| POST OFFICE ADDRESS | | | |
| Kulstötarvägen 96, 122 44 Enskede, SWEDEN | | | |
| FULL NAME OF FIFTH JOINT INVENTOR, IF ANY | SIGNATURE / | 1 10 | DATE |
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